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Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC  
and Bernard L. Madoff*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

<p>SECURITIES INVESTOR PROTECTION CORPORATION,</p> <p>Plaintiff-Applicant,</p> <p>v.</p> <p>BERNARD L. MADOFF INVESTMENT SECURITIES LLC,</p> <p>Defendant.</p>	<p>Adv. Pro. No. 08-01789 (SMB)</p> <p>SIPA LIQUIDATION</p> <p>(Substantively Consolidated)</p>
<p>In re:</p> <p>BERNARD L. MADOFF,</p> <p>Debtor.</p>	
<p>IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC,</p> <p>Plaintiff,</p> <p>v.</p> <p>MELVIN B. NESSEL 2006 TRUST U/A/D 3/14/06; MELVIN B. NESSEL REVOCABLE TRUST; PAUL RAMPELL, in his capacity as Former Trustee for the Melvin B. Nessel Revocable Trust and as former co-Trustee of the Melvin B.</p>	<p>Adv. Pro. No. 10-04351 (SMB)</p>

Nessel 2006 Trust u/a/d 3/14/06; NORTHERN TRUST N.A., in its capacity as successor Trustee of the Melvin B. Nessel 2006 Trust u/a/d 3/14/06; GAIL NESSEL; MICHAEL LIEB; and ROBERT LIEB,

Defendants.

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL WITH  
PREJUDICE OF ADVERSARY PROCEEDING**

Irving H. Picard (the “Trustee”) as trustee for the liquidation of the business of Bernard L Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*, and the substantively consolidated estate of Bernard L. Madoff, by and through his undersigned counsel, and Defendants Melvin B. Nessel 2006 Trust u/a/d 3/14/06, for itself and as successor in interest to the Melvin B. Nessel Revocable Trust; The Northern Trust Company, as successor by merger to Northern Trust, N.A., f/k/a Northern Trust Bank of Florida, N.A., not individually, but in its capacity as successor trustee of the Melvin B. Nessel 2006 Trust u/a/d 3/14/06 (“Northern Trust”); Paul Rampell, not individually, but in his capacity as former trustee for the Melvin B. Nessel Revocable Trust and as former co-trustee of the Melvin B. Nessel 2006 Trust u/a/d 3/14/06; and Gail Nessel (collectively, the “Settling Defendants”),<sup>1</sup> by and through their undersigned counsel, hereby stipulate and agree to the following:

In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(A)(ii) and Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the Trustee and the Settling Defendants hereby stipulate to a dismissal with prejudice of the Trustee’s claims against the Defendants in the above-captioned adversary proceeding without costs to either the Trustee or the Defendants.

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<sup>1</sup> Robert Lieb and Michael Lieb are also defendants in the above-captioned adversary proceeding (the “Adversary Proceeding”), but have not entered an appearance or a response in the Adversary Proceeding. The Settling Defendants, Robert Lieb, and Michael Lieb shall be referred to herein collectively as the “Defendants”.

Dated: October 20, 2017

YOUNG CONAWAY STARGATT &  
TAYLOR, LLP

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*Attorneys for Gail Nessel*

Dated: **October 20<sup>th</sup>, 2017**  
New York, New York

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Trust*

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Trust and as former co-Trustee of the  
Melvin B. Nessel 2006 Trust*

SO ORDERED

**/s/ STUART M. BERNSTEIN**  
HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE